

Introduced by Senator Ducheny

February 22, 2005

An act to add Part 2.6 (commencing with Section 71105) to Division 34 of the Public Resources Code, relating to the environment.

LEGISLATIVE COUNSEL'S DIGEST

SB 772, as introduced, Ducheny. Environment: border region.

Under existing law, the money in the California Border Environmental and Public Health Protection Fund is available, upon appropriation, to the Secretary for Environmental Protection for specified purposes regarding the California border region.

This bill would require the California Environmental Protection Agency to establish a border environmental program, which would be required to include, by January 1, 2007, developing and submitting a report to the Legislature regarding cross-border used and waste tire practices and detailed information on waste tire pile characteristics.

The bill would require the agency to develop a 5-year California used and waste tire work plan to provide for the remediation of existing waste tire piles located within the border region and to provide for long-term tire fire contingency planning and an emergency response plan, a cross-border used and waste tire tracking system, and the implementation, by January 1, 2010, of a comprehensive English/Spanish training program for waste and used tire haulers.

The bill would require the California Environmental Protection Agency to establish a 5-year border environmental program that would implement the 5-year used and waste tire work plan and be coordinated and administered by the State Water Resources Control Board-Border Affairs Unit.

The bill would require any funds from state agencies and public or private organizations for the development and implementation of the program to be deposited into the California Border Environmental Education Fund and would authorize the funds to be appropriated for allocation for expenditure for purposes of the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Part 2.6 (commencing with Section 71105) is added to Division 34 of the Public Resources Code, to read:

PART 2.6. FIVE-YEAR BORDER ENVIRONMENTAL
PROGRAM

CHAPTER 1. GENERAL PROVISIONS

71105. It is the intent of the Legislature to strongly encourage all state agencies engaged in matters involving the California-Mexico border to give full and proper support to the development and implementation of a five-year used and waste tire work plan for the California-Baja California border region.

CHAPTER 2. DEFINITIONS

71106. For purposes of this part, the following definitions shall apply:

(a) "Border region" has the same meaning as "California-Baja California border region," as defined in Section 71100.

(b) "Five-year border environmental program" means a program created by the California Environmental Protection Agency pursuant to this part to implement the five-year used and waste tire work plan for the border region.

(c) "Five-year border used and waste tire work plan" means a border-specific work plan developed by the California Environmental Protection Agency pursuant to this part.

(d) "Waste tire" and "used tire" have the same meaning as defined in Section 42950.

1 CHAPTER 3. ESTABLISHMENT AND FUNCTIONS OF THE
2 BORDER ENVIRONMENTAL PROGRAM
3

4 71107. The California Environmental Protection Agency
5 shall establish a border region environmental program, that shall
6 include, all of the following:

7 (a) On or before January 1, 2007, develop and submit a report
8 to the Legislature that includes the best scientific resource-based
9 information regarding cross-border used and waste tire practices
10 and detailed information on waste tire pile characteristics. The
11 report shall also do all of the following:

12 (1) Verify waste tire quantity and composition.

13 (2) Identify end-use facilities and capacities for disposal,
14 recycling, energy, engineered fill of waste tires, solid waste, and
15 possible hazardous wastes.

16 (3) Identify permits and procedures needed to perform
17 necessary cleanup work.

18 (4) Describe recommended cleanup alternatives.

19 (5) Establish cleanup schedules.

20 (b) Develop a five-year California used and waste tire work
21 plan using the best scientific and resource-based information
22 regarding the border area. The plan shall suggest binational
23 circumstances and key steps toward environmental sustainability.
24 The work plan shall provide for the remediation of existing waste
25 tire piles located within the border region and shall include all of
26 the following:

27 (1) A long-term tire fire contingency planning and emergency
28 response plan.

29 (2) A cross-border used and waste tire tracking system to
30 prevent illegal waste tire dumping within the border region.

31 (3) The contents, goals and objectives, and implementation
32 schedules, by January 1, 2010, of a comprehensive
33 English/Spanish training program for waste and used tire haulers.

34 (c) Establish a five-year border environmental program, that
35 shall be coordinated and administered by the State Water
36 Resource control Board-Border Affairs Unit.

37 70012. All funds from state agencies and public or private
38 organizations for the development and implementation of the
39 five-year border environmental program pursuant to this part
40 shall be deposited into the California Border Environmental

- 1 Education Fund established pursuant to Section 71101 and,
- 2 notwithstanding Section 71101, may be appropriated by the
- 3 Legislature for allocation for expenditure for purpose of this part.

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